

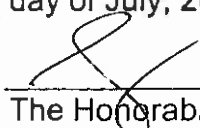
IN THE UNITED STATES COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

DCR MORTGAGE IV SUB I, LLC)	Case No. 2:10-CV-00253-EAS
)	
Plaintiff,)	Judge Edmund A. Sargus
)	
-vs-)	Magistrate Norah McCann King
)	
HINES INVESTMENTS, LLC, <i>et al.</i>)	<u>ORDER OF DISMISSAL WITHOUT</u>
)	<u>PREJUDICE PURSUANT TO</u>
Defendants.)	<u>FEDERAL R. CIV. P 41(a)(2)</u>
)	
)	

This matter came before the Court upon the motion of defendants Hines Investments, LLC, Pamela Hines and Gary Hines (collectively "Defendants") to dismiss this action for Plaintiff's failure to sufficiently establish diversity jurisdiction, which motion was unopposed by the plaintiff DCR Mortgage IV Sub I, LLC ("Plaintiff") upon discovery that complete diversity of citizenship between the Plaintiff and Defendants does not exist.

For good cause demonstrated the motion is WELL TAKEN and therefore SUSTAINED. Accordingly, all claims in this action are hereby dismissed for lack of diversity jurisdiction, without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(2). Costs to the Plaintiff.

IT IS SO ORDERED this 12 day of July, 2010.



The Honorable Judge
Edmund A. Sargus
United States District Judge